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STATE OF SOUTH DAKOTA
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES
WATER MANAGEMENT BOARD

IN THE MATTER OF REQUEST FOR
DECLARATORY RULING BY
MCCOOK LAKE RECREATION AREA
ASSOCIATION

RESISTANCE TO PETITION TO
DECLARATORY RULING FILED BY
THE MCCOOK LAKE RECREATION
AREA ASSOCIATION

AND


JOINDER TO THE CHIEF ENGINEER'S
PREHEARING BRIEF

COME NOW, Dakota Bay, LLC, and Michael Chicoine and hereby submits a RESISTANCE to the Petition for Declaratory Ruling filed by the McCook Lake Recreation Area Association and in support of their RESISTANCE thereto submits a JOINDER to the Chief Engineer's Prehearing Brief.


Dated: July 21, 2023.

Respectfully submitted,

GUNDERSON, PALMER, NELSON
& ASHMORE, LLP

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ADMITTED PRO HAC VICE

ATTORNEYS FOR DAKOTA BAY, LLC AND MICHAEL CHICOINE

JUL 24 2023

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WATER

**STATE OF SOUTH DAKOTA
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES
WATER MANAGEMENT BOARD**

**IN THE MATTER OF REQUEST FOR
DECLARATORY RULING BY
MCCOOK LAKE RECREATION AREA
ASSOCIATION**

CERTIFICATE OF SERVICE

The Undersigned, hereby certifies that a true and correct copy of the items listed below in the above-captioned matter were served by US Mail, First-Class, Postage prepaid upon the following on this 21st day of July 2023:

Documents Served:

- Notices of Appearance by Stacy R. Hegge and Dean A. Fankhauser on behalf of Dakota Bay, LLC and Michael Chicoine
- Exhibits 400-401 by Dakota Bay, LLC
- Resistance to Petition to Declaratory Ruling filed by the McCook Lake Recreation Area Association and Joinder to the Chief Engineer's Prehearing Brief

Parties Served:

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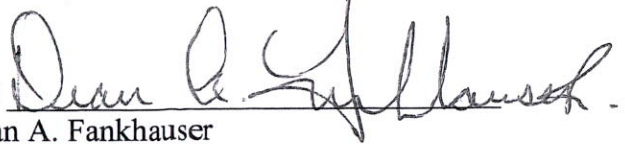
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